

CHAPTER NO. 316

HOUSE BILL NO. 70

By Representatives Ulysses Jones, Odom

Substituted for: Senate Bill No. 699

By Senator Ford

AN ACT to amend Tennessee Code Annotated, Title 40.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-1-111(a)(1)(A), is amended by deleting the language "or a population of over seven hundred thousand (700,000)" and by inserting the language ", and the chief legislative body of any county having a population of over seven hundred thousand (700,000) according to the 1970 federal census or any subsequent federal census may initially appoint," between the words "may appoint" and the language "one (1) or more judicial commissioners".

SECTION 2. Tennessee Code Annotated, Section 40-1-111(a)(1)(B), is amended by deleting the sub-division in its entirety and by substituting instead the following language:

(i) This sub-item applies to any county having a population of less than two hundred thousand (200,000) or a population of not less than two hundred seventy-six thousand (276,000) nor more than two hundred seventy-seven thousand (277,000), according to the 1970 federal census or any subsequent federal census. The term or terms of the officers shall be established by the chief legislative body of the appropriate county to which this sub-item applies but shall not exceed a four-year term. No member of the county legislative body of any such county shall be eligible for appointment as a judicial commissioner. Notwithstanding the provisions of this subdivision to the contrary, the presiding general sessions criminal judge of a county to which this sub-item applies may appoint a temporary, or part-time, judicial commissioner to serve at the pleasure of the presiding judge in case of absence, emergency or other need. The legislative body of any such county to which this sub-item applies, in appointing, evaluating and making decisions relative to retention and reappointment shall take into consideration views, comments and suggestions of the judges of the courts in which the judicial commissioners are appointed to serve.

(ii) Any subsequent term of a judicial commissioner initially appointed by the chief legislative body of any county having a population of over seven hundred thousand (700,000), according to the 1970 federal census or any subsequent federal census, shall be by the general sessions judges of such county. The term or terms of the officers shall be established by the general sessions criminal court judges of such county but shall not exceed a four-year term. No member of the county legislative body of such county shall be eligible for appointment as a judicial commissioner. Notwithstanding the provisions of this subdivision to the contrary, the presiding general sessions criminal court judge of such county may appoint a temporary, or part-time, judicial commissioner to serve at the pleasure of the presiding judge in case of absence, emergency or other need. The general sessions judges of such county, in appointing, evaluating and making decisions relative to retention and reappointment shall take into consideration views, comments and suggestions of

the judges of the courts in which the judicial commissioners are appointed to serve.


SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: May 21, 2001


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 30th day of May 2001


DON SUNDQUIST, GOVERNOR